

Proposal No. A.11 (Salary Commission)

Ballot question

Shall the findings of the Salary Commission establishing salaries for all councilmembers and county officers and employees included in Section 3-2.1 of the Kauai County Code become effective, unless rejected in whole or in part by a vote of five members of the Council?

Charter Amendment

Section 29.01. Organization. [The salaries of all councilmembers shall be established by an independent salary commission which shall consist of seven members. The mayor shall appoint three members, the council shall appoint three members, and the seventh member shall be appointed by the appointed six. If there is no agreement on the selection of the seventh member within forty-five days of the appointment of the sixth member, the seventh member shall be appointed by the mayor and confirmed by the council.] There shall be a Salary Commission composed of seven members not employed in government service to establish the salaries of all councilmembers and all officers and employees included in Section 3-2.1 of the Kauai County Code 1987, as amended.

Section 29.02. Purpose and Duties.

A. The commission shall set salaries of councilmembers in accordance with the principles of adequate compensation for work performed, the preservation of a sensible relationship with the salaries of other county employees.

B. The commission shall review and recommend the salaries and minimum qualifications of all officers and employees included in Section 3-2.1 of the Kauai County Code 1987, as amended.] Policies. Subject to council approval, the commission shall adopt and, when it deems necessary, may change the policies governing its salary-setting decisions.

Section 29.03. Term. The term of the commission shall be conterminous with the term of the council. The mayor and council shall make their selection within forty-five days of their inauguration.] Salary Findings. The commission's salary findings made pursuant to Section 29.01 shall be adopted by the commission and forwarded to the mayor and the council on or before March 15. The salary findings shall take effect without the mayor's and council's concurrence sixty days after its adoption unless rejected by not less than five members of the council. The council may reject either the entire findings or any portion of it. Any other action taken by the council on the salary findings shall be by vote of not less than five members of the council. The respective appointing authority may set the salary of an appointee at a figure lower than the figure established by ordinance for the position.

Section 29.04 [Initial Commission. The initial commission shall be appointed for the term commencing December 1, 1988.]

[Section 29.05 Meetings;] Rules. [The commission shall meet at least once a year to set the salaries for councilmembers and recommend the salaries for all other elected officials and employees as specified in Section 29.02 of this charter.] The commission shall establish its rules of procedures and adopt rules and regulations pursuant to law.

Section [29.06] 29.05 Changes in Salary. No change in salary of councilmembers shall be effective during the term in which a change is enacted or for twenty-four months after a change is enacted, whichever is less.

Section [29.07] 29.06 Administration and Operation. The mayor and council shall provide an annual appropriation sufficient to enable the commission to secure clerical assistance and pay other operational costs in the performance of its duties.

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Section 3.06 Compensation. The salary of each councilmember shall be [as established by the Salary Commission.] established in accordance with the provisions of Article XXIX of this Charter.

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Section 3.11 Adoption of Pay Plan. The Council by ordinance shall [fix] appropriate the salaries of all [department heads,] officers [(excluding councilmembers),] and employees who are exempt from civil service in accordance with the provisions of Section 7.05E and Article XXIX of this Charter. All other officers and employees shall be classified and paid in accordance with law.

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Section 5.01. Powers, Duties and Functions,

A. The council shall appoint and may remove [and shall fix the salary of] the county clerk. The salary of the county clerk shall be set pursuant to Article XXIX of this Charter.

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Section 7.05. Powers, Duties and Functions. The mayor shall be the chief executive officer of the county. He shall have the power to:

E. Recommend to the council for its approval a pay plan for all [department heads,] officers ~~[(excluding councilmembers)]~~ and employees who are exempt from civil service and the position classification plan and who are not included in Section 3-2.1 of the Kauai County Code 1987, as amended.

Section 7.06. Vacancy in Office

B. During the temporary absence from the county or temporary disability of the mayor, or in case of a vacancy in the office of the mayor, until a new mayor is appointed or elected, the administrative assistant shall act as mayor. In the event both the mayor and the administrative assistant are temporarily absent or disabled, the finance director shall act as mayor during said period.

(1) The mayor shall appoint and may remove an administrative assistant whose qualification shall be the same for the position of mayor. The salary for the administrative assistant shall be [fixed by ordinance] set pursuant to Article XXIX of this Charter. The administrative assistant shall serve as the mayor's principal administrative aide.

(Material to be deleted is bracketed; new material is underlined)

Revised 7/25/06